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Attorney Docket No. 2209 P 002

PATENT

# IN THE UNITED SPATES PATENT AND TRADEMARK OFFICE

In re Application of: Eugene Mandrea

Application No.: 10/751,371

Confirmation No.: 2214
Filed On: January 5, 2004

For: METHODS OF STIMULATING IMMUNE RESPONSE IN VIRALLY INFECTED

**INDIVIDUALS** 

Mail Stop Amendment Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450 Examiner: Unassigned

Art Unit: 1615

# SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. §§ 1.97 AND 1.98

Dear Sir:

Applicant submits herewith Form PTO-1449, "Supplemental Information Disclosure Statement," and a copy of each non-patent reference listed therein.

Since this Statement is being filed before the mailing date of a first Official Action on the merits, no fee is necessary.

Applicant is submitting this art because Applicant recognizes its duty to disclose pursuant to 37 C.F.R. §1.56. However, submission of this art and Statement is not an admission that any item identified contains matter anticipating the invention or rendering the invention obvious to a person of ordinary skill in the art. Further, Applicant believes none of the art submitted herewith, alone or in proper combination, discloses, teaches or suggests the invention claimed by Applicant.

The citation of a reference is also without admission that the reference is sufficient to teach one of ordinary skill in the art how to make or use the subject matter thereof or the reference is, or is considered to be, material to the patentability as defined in 37 C.F.R. §1.56(b).

Moreover, submission of these patents is without admission that any of the patents constitutes statutory prior art or has an effective date prior to Applicant's effective date of invention.

Applicant specifically reserves all rights of privilege and confidence with respect to this matter. A submission of this document is not to be construed as a waiver of those rights. In

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addition, the filing of this Statement is not to be construed as a representation a search had been made by Applicant or counsel.

Please charge any additional fees associated with this Communication or credit any overpayment to our Deposit Account No. 23-0280. A duplicate copy of this paper is enclosed for that purpose.

Respectfully submitted,

Date:

February 7, 2006

By: \_\_\_

David L. Schwartz, Reg. No. 42,133 Wallenstein Wagner & Rockey, Ltd. 311 South Wacker Drive, 53<sup>rd</sup> Floor Chicago, Illinois 60606-6630

312.554.3300

## CERTIFICATE UNDER (37 C.F.R. § 1.8a)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on. February 7, 2006

Natalie L. Kurowski/239506.1

SUPPLEMENTAL PADE INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

PTO-1449

Application No.: 10/751,371 Filing Date: January 5, 2004

First Named Inventor: Eugene Mandrea

Art Unit: 1615

Examiner Name: Unassigned

Attorney Docket Number: 2209 P 002

Sheet 1 of 1

#### U.S. PATENT DOCUMENTS

Examiner Initial	Document No. Kind Code (if known)	Name of Patentee or Applicant	Publication Date (MM-DD-YYYY)
	US 6,361,769 B1	Tovey	03-26-2002
	US 6,569,435 B1	Punnonen et al.	05-27-2003
	US 6,576,757 B1	Punnonen et al.	06-10-2003

#### FOREIGN PATENT DOCUMENTS

Examiner Initial	Foreign Patent Document		Name of Patentee	Date of Publication		
	Office	Number	Kind	or Applicant	1 uonounon	1

### OTHER PRIOR ART OR NON-PATENT LITERATURE DOCUMENTS

Examiner Initial	(including Author (in capital letters), Title of the article, Title of the item, Date, Pages, Volume-Issue number, Publisher, City and/or Country where published.)	
	CLEJAN, Sanda, et al., "Immune Responses Induced by Intranasal Imiquimod and Implications for Therapeutics in Rhinovirus Infections," April 2, 2005, pp. 457-461, J. Cell. Mol. Med., Vol. 9, No. 2	Y
	GASPARI, Anthony A., et al., "Immunotherapy of Basal Cell Carcinoma: Evolving Approaches," October 2003, pp. 1027-1034, American Society for Dermatologic Surgery, Inc., Volume 29, No. 10, Blackwell Publishing, Inc.	Y

Examiner Signature:	Date Considered:
$\boldsymbol{\varepsilon}$	 

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.